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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/088,399	03/19/2002	Rony Zarom	Q69045	2948
23373 7590 03/09/2007 SUGHRUE MION, PLLC 2100 PENNSYLVANIA AVENUE, N.W. SUITE 800 WASHINGTON, DC 20037			EXAMINER TESLOVICH, TAMARA	
			ART UNIT	PAPER NUMBER
			2137	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	03/09/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No. 10/088,399	Applicant(s) ZAROM ET AL.	
	Examiner Tamara Teslovich	Art Unit 2137	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on December 7, 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claims 1, 8 and 15 are amended.

Claims 1-20 are herein considered.

Response to Arguments

Applicant's arguments filed December 7, 2006 have been fully considered but they are not persuasive. The Applicant's amendments to claims 1, 8 and 15 are herein considered but fail to render claims 1-20 allowable over the available prior art, namely Radia et al.

Applicant's arguments fail to comply with 37 CFR 1.111(b) because they amount to a general allegation that the claims define a patentable invention without specifically pointing out how the language of the claims patentably distinguishes them from the references. Applicant's arguments concerning Radia's failure to apply the presorted filter rules to the packet received are mere conjecture as they are unsupported by specific lines or columns from the patent. The Examiner is unable to find within the reference support for the Applicant's arguments in this regard.

As a result, the Examiner's previous 35 U.S.C. 102(b) rejections of claims 1-20 are amended below to address the Applicant's newly amended claims.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

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The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-20 remain rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Applicant's repeated use of the word "retrieve" in claim 1 serves to confuse exactly how values are arrived at, and where they come from. For example, in part b) of claim 1, rules are associated with at least one of a plurality of values. Subsequently, in part d) a packet is analyzed to retrieve one of said values. It is unclear how those values were transferred from the initial system presorting the rules to the packet in order to be 'retrieved' from the packet. Additionally, part e) of claim 1 teaches wherein a rule is selected according to the 'one value' retrieved previously, in order to obtain a selected rule. However, it is unclear whether the 'selection of the rule' is the same as the 'retrieval of the rule' and why it is necessary to select and then retrieve a rule in the same limitation. If it is the Applicant's intention to assign a rule, or select a rule based upon information collected from the packets, it is suggested that he rewrite the claims in such a way as to clear up the ambiguities that presently exist. Independent claims 8 and 15 also include the use of the word 'retrieve' and are indefinite for the same reasons as given above with respect to independent claim 1. The Examiner requests that claims 1, 8, and 15 are amended.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-20 are rejected under 35 U.S.C. 102(e) as being anticipated by

Radia et al., United States Patent 5,848,233.

As per **claim 1**, Radia discloses a method for presorting a plurality of rules for filtering a packet in network, the method comprising the steps of: selecting a characteristic (detecting an event) for sorting the plurality of rules; associating each (filter) rule with at least one of a plurality of values for said characteristic; receiving the packet; analyzing information in the packet to retrieve from the received packet one of said values; selecting at least one of the plurality of rules according to said one value retrieved from the received packet, wherein the selected rule is associated with said one value; and applying said selected rule to the received packet, such that the received packet is permitted to enter the network or alternatively is dropped in accordance with the selected rule (col.4 lines 2-7 and 12-20).

As per **claim 2**, Radia discloses wherein the plurality of rules are presorted according to each value for said characteristic (col.6 lines 30-36).

As per **claim 3**, Radia discloses wherein said characteristic is at least one of a source address of the packet and a destination address of the packet (col.6 lines 18-19).

As per **claim 4**, Radia discloses wherein said characteristic is a combination of said source address of the packet and said destination address of the packet (col.2 lines 3-16, col.6 lines 18-19).

As per **claim 5**, Radia discloses wherein a user is associated with each value such that said associating each rule with at least one value for said characteristic further comprise assigning at least one privilege to a user and determining whether to associate each rule with said value of said characteristic according to said at least one privilege (col.3 lines 5-21).

As per **claim 6**, Radia discloses wherein said assigning at least one privilege to said user further comprises determining a user profile of associated rules according to said at least one privilege (col.3 lines 34-50).

As per **claim 7**, Radia discloses associating a user profile with a group profile, such that a plurality of values for said characteristic is associated with said associated rules of said group profile (col.3 lines 23-27; col.7 line 39 thru col.8 line29).

As per **claim 8**, Radia discloses an apparatus for presorting a plurality of rules for filtering a packet in network, wherein a characteristic (detecting an event) for sorting the plurality of rules is selected, said characteristic has a plurality of possible values, and

each rule is associated with at least one value for said characteristic, the apparatus comprising: a software module for performing the operations of: analyzing information in the packet to retrieve from the packet a value for said characteristic; selecting at least one of the plurality of rules according to said value retrieved from the packet wherein the selected rule is associated with said value; and applying said selected rule to the packet, such that the packet is permitted to enter the network or alternatively is dropped in accordance with selected rule (col.4 lines 2-7 and 12-20).

As per **claim 9**, Radia discloses wherein the plurality of rules are presorted according to each value for said characteristic (col.6 lines 30-36).

As per **claim 10**, Radia discloses wherein said characteristic is at least one of a source address of the packet and a destination address of the packet (col.6 lines 18-19).

As per **claim 11**, Radia discloses wherein said characteristic is a combination of said source address of the packet and said destination address of the packet (col.2 lines 3-16, col.6 lines 18-19).

As per **claim 12**, Radia discloses wherein a user is associated with each value of said characteristic such that the software module further performs the operations of assigning at least one privilege to a user and determining whether to associate each rule with said value according to said at least one privilege (col.3 lines 5-21).

As per **claim 13**, Radia discloses wherein said assigning at least one privilege to said user further comprises determining a user profile of associated rules according to said at least one privilege (col.3 lines 34-50).

As per **claim 14**, Radia discloses associating a user profile with a group profile, such that a plurality of values for said characteristic is associated with said associated rules of said group profile (col.3 lines 23-27; col.7 line 39 thru col.8 line29).

As per **claim 15**, Radia discloses a computer program product comprising a computer usable medium having computer readable code embodied therein for presorting a plurality of rules for filtering a packet in network, the computer program product comprising computer readable program code for performing the operations of: selecting a characteristic (detecting an event) for sorting the plurality of rules, said characteristic has a plurality of possible values, associating each rule with at least one value for said characteristic, analyzing information in the packet to retrieve said value from a received packet; selecting at least one of the plurality of rules according to said value retrieved from the packet wherein the selected rule is associated with said value; and applying said selected rule to the received packet, such that the received packet is permitted to enter the network or alternatively is dropped in accordance with said selected rule (col.4 lines 2-7 and 12-20).

As per **claim 16**, Radia discloses wherein the plurality of rules are presorted according to each value for said characteristic (col.6 lines 30-36).

As per **claim 17**, Radia discloses wherein said characteristic is a source address of the packet (col.6 lines 18-19).

As per **claim 18**, Radia discloses wherein said characteristic is a destination address of the packet (col.6 lines 18-19).

As per **claim 19**, Radia discloses wherein said characteristic is a combination of said source address of the packet and said destination address of the packet (col.2 lines 3-16, col.6 lines 18-19).

As per **claim 20**, Radia discloses wherein a user is associated with each value of said characteristic such that said computer readable program code further comprises the operations of assigning at least one privilege to a user and determining whether to associate each rule with said value of said characteristic according to said at least one privilege (col.3 lines 5-21).

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

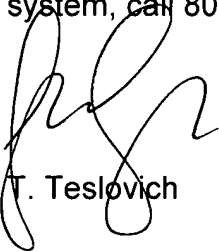
A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tamara Teslovich whose telephone number is (571) 272-4241. The examiner can normally be reached on Mon-Fri 8-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Emmanuel Moise can be reached on (571) 272-3865. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



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